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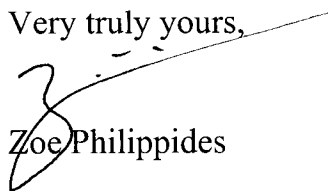
Robert Alba
Clerk to the Honorable Patti B. Saris
United States District Court, District of Massachusetts
One Courthouse Way, Courtroom 13
Boston, MA 02210

Re: County of Suffolk v. Abbott Laboratories, Inc. et al.
MDL No. 1456 (D. Mass.) Civil No. 01-CV-12257 (PBS)

Dear Mr. Alba:

Immunex Corporation has not been served in the above matter, even after informing plaintiffs of this fact. Accordingly, Immunex counsel have not appeared, and Immunex Corporation has not filed a Motion to Dismiss or any other response to the Amended Complaint in this matter. Thus, Immunex believes that Judge Saris's Order of July 30, 2004, was not directed to it. Without waiving its lack of service argument, Immunex does note that it no longer markets the drugs allegedly involved and it has been unable to locate the Rebate Agreements described in Judge Saris's July 30 Order.

Very truly yours,



Zoe Philippides

ZP:cs

cc: All Counsel (Via Verilaw)

[06735-0051/SL042250.134]

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